

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ANTHONY WILSON and
KIMBERLY WILSON, the parents of
Martez Wilson,

Plaintiffs,

v.

CITY OF DOUGLASVILLE, GA,
OFFICER COYLEE DANLEY, in his
individual capacity, OFFICER
ANDREW SMITH, in his individual
capacity, SGT. CALDWELL, in his
individual capacity, EMT SEAN
FLACK, in his individual capacity,
PARAMEDIC BRIAN
PORTERFIELD, in his individual
capacity,

Defendants.

CIVIL ACTION FILE

NO. 1:17-cv-00634-ELR

**CONSENT ORDER FOR STAY OF PROCEEDINGS AS TO DEFENDANT
OFFICER ANDREW SMITH PURSUANT TO THE SERVICEMEMBER'S
CIVIL RELIEF ACT, 50 U.S.C. § 3901, *et. seq.***

Upon consideration of the Parties' consent motion for a stay of proceedings as against Defendant Andrew Smith, and for good cause shown, said motion is hereby granted, and it is hereby ORDERED that, pursuant to the Servicemember's Civil Relief Act, 50 U.S.C. § 3901, *et seq.*, the above-captioned proceedings as they pertain to plaintiffs' claims against Defendant Smith shall be stayed for a

period of six (6) months from the date of the Court's order; that plaintiffs' claims against the remaining defendants be allowed to proceed; that at the expiration of the six (6) month stay, the parties shall file a status report showing the status of Smith's then-current military service, and detail any change in their respective positions of whether a continuation of the stay is appropriate.

SO ORDERED, this 31st day of July, 2017.


HONORABLE ELEANOR L. ROSS
Judge, United States District Court

Consented to:

**For Plaintiffs Anthony and
Kimberley Wilson:**

/s/ G. Brian Spears
(signed with express permission by
Dianna J. Lee)
G. Brian Spears
Georgia Bar No. 670112
1126 Ponce de Leon Avenue
Atlanta, GA 30306
404-872-7086
404-892-1128 (fax)
bspears@mindspring.com

**For Defendants Douglasville, Danley,
and Smith:**

/s/ Dianna J. Lee
Harvey S. Gray
Georgia Bar No. 305838
Dianna J. Lee
Georgia Bar No. 163391
GRAY, RUST, ST. AMAND, MOFFETT &
BRIESKE
1700 Atlanta Plaza
950 East Paces Ferry Road
Atlanta, Georgia 30326
(404) 870-7376 (Gray)
(404) 870-5955 (Lee)
hgray@grsmb.com
dlee@grsmb.com

**For Plaintiffs Anthony and
Kimberley Wilson:**

/s/ Jeffrey R. Filipovits
(signed with express permission by
Dianna J. Lee)
Jeffrey R. Filipovits
Georgia Bar No. 825553
FILOPOVITS LAW FIRM, PC
2900 Chamblee-Tucker Road
Building 1
Atlanta, GA 30341
770-455-1350
jeff@law.filipovits.com
jrfilipovits@gmail.com

For Defendant Cadwell:

/s/ Brian R. Dempsey
(signed with express permission by
Dianna J. Lee)
Brian R. Dempsey
Georgia Bar No. 217596
QUINTAIROS, PRIETO, WOOD & BOYER,
P.A.
1000 Parkwood Circle, Suite 900
Atlanta, GA 30339
770-661-0529
678-784-4026 (direct)
404-697-5592 (cell)
770-661-8529 (fax)
brian.dempsey@qpwbllaw.com

**For Defendants Porterfield
and Flack:**

/s/ Sun S. Choy
(signed with express permission by
Dianna J. Lee)
Sun S. Choy
Georgia Bar No. 025148
Sara E. Brochstein
Georgia Bar No. 446366
FREEMAN, MATHIS & GARY, LLP
100 Galleria Parkway, Suite 1600
Atlanta, GA 30339-5948
770-818-0000
770-818-1412 (Choy Direct)
404-587-6387 (Choy Cell)
770-937-9960 (fax)
schoy@fmglaw.com
sbrochstein@fmglaw.com